

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MICHAEL SEKLECKI,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:22-cv-10155-PBS
)	
CENTERS FOR DISEASE)	
CONTROL & PREVENTION, <i>et al.</i> ,)	
)	
Defendants.)	

**AIRLINE DEFENDANTS’
MOTION TO DISMISS THE COMPLAINT**

Defendants American Airlines, Inc. and Southwest Airlines Co. (collectively the “Airline Defendants”), move to dismiss Plaintiff’s Complaint, ECF No. 1, pursuant to Fed. R. Civ. P.12(b)(6), for failure to state a claim upon which relief can be granted. As grounds, Airline Defendants state:

- (1) None of the legal theories raised by Plaintiff to challenge implementation of the Federal Transportation Mask Mandate (“FTMM”) has any merit.
- (2) Specifically, Plaintiff’s son has been permitted to fly to Boston without a mask.
- (3) Further, to the extent Plaintiff claims that Plaintiff has been unlawfully discriminated against by the Airline Defendants because he was required to wear a mask, his sole avenue of relief is to file a complaint with the U.S. Department of Transportation (“DOT”) under 14 C.F.R. Part 382.
- (4) It appears that Plaintiff is pursuing this case in furtherance of his Americans Against Mask Mandates (“AAMM”) coalition and its anti-mask agenda, despite the lack of legal merit to any of his causes of action.

As further grounds, Airline Defendants rely upon the grounds set forth in their Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint submitted in conjunction with this Motion.

Respectfully submitted,

/s/ Christopher A. Duggan
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Southwest Airlines Co.

Dated: April 1, 2022

CERTIFICATE OF SERVICE

I hereby certify that, on this 1st day of April 2022, I caused a true and correct copy of the as-filed version of this filing to be served on all counsel of record via the CM/ECF system. Although Plaintiff is proceeding *pro se*, he has been authorized by the Court to use the CM/ECF system. ECF No. 21. Accordingly, Plaintiff will receive service of this filing through the CM/ECF system.

/s/ Christopher A. Duggan
Christopher A. Duggan (BBO No. 544150)